



**House Bill No. 6747**

**Public Act No. 05-225**

**AN ACT CONCERNING REGIONAL CHILDREN'S PROBATE COURTS.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 45a-8a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2005*):

(a) For the purposes of this section, "children's matters" means: [guardianship] (1) Guardianship matters under sections 45a-603 to 45a-625, inclusive; [ ] (2) termination of parental rights matters under sections 45a-706 to 45a-719, inclusive; [ ] (3) adoption matters under sections 45a-724 to 45a-733, inclusive, 45a-736 and 45a-737; [ ] (4) claims for paternity under section 46b-172a; [ ] (5) emancipation matters under sections 46b-150 to 46b-150e, inclusive; [ ] and (6) voluntary admission matters under section 17a-11.

(b) The Probate Court Administrator shall, within available resources, establish a regional children's probate court [pilot program] in a [single] region that shall consist of the probate districts of New Haven, Branford, East Haven, Hamden, Milford, North Branford, North Haven, Orange, West Haven and Woodbridge. In establishing such [pilot program] court, the Probate Court Administrator shall consult with the probate judges of such districts, each of whom may

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participate [in such pilot program] on a voluntary basis.

(c) In addition to the court established under subsection (b) of this section, the Probate Court Administrator may establish six additional regional children's probate courts in regions designated by the Probate Court Administrator. In establishing such courts, the Probate Court Administrator shall consult with the probate judges of the districts located in each designated region, each of whom may participate on a voluntary basis.

(d) [Within the region designated under this subsection, the] The Probate Court Administrator may establish a regional children's probate court under this section in (1) any existing probate court facility within a district located in [the] a region, or (2) a separate facility located in [the] a region as may be designated by the Probate Court Administrator. [The] Each regional children's probate court shall be established and operated with the advice of the participating probate judges of such districts and the administrative judge appointed under subsection [(d)] (g) of this section. Such participating probate judges and administrative judge shall serve as the judges of the regional children's probate court, except as provided in subdivision (1) of subsection [(d)] (g) of this section. Such judges shall hear and determine all children's matters as may come before them on a docket separate from other probate matters.

(e) (1) For the purposes of this section, the Probate Court Administrator may, subject to the provisions of section 45a-84, expend from the Probate Court Administration Fund established under section 45a-82 such amounts as the Probate Court Administrator may deem reasonable and necessary for the establishment, improvement, maintenance and operations of court facilities located in each such designated region.

(2) Nothing in this section shall be construed to relieve any town of

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its obligation to provide and maintain court facilities pursuant to section 45a-8.

~~[(c)]~~ (f) The Probate Court Administrator may, subject to the provisions of section 45a-84, expend moneys from the Probate Court Administration Fund ~~[established under section 45a-82]~~ to pay for necessary improvements of a facility designated as ~~[the]~~ a regional children's probate court under ~~[subsection (b) of]~~ this section, to pay operating expenses of ~~[the]~~ a regional children's probate court and to reimburse participating towns or cities for any costs of leasing office space for ~~[the]~~ a regional children's probate court, and any necessary improvements thereto, and for expenses under subsection ~~[(d)]~~ (g) of this section.

~~[(d)]~~ (g) (1) The Probate Court Administrator, with the advice of the participating probate judges of the districts ~~[set forth in subsection (b) of this section]~~ located in the designated region, shall appoint an administrative judge for ~~[the]~~ each regional children's probate court. The administrative judge shall be a probate judge at the time of such appointment. If the administrative judge ceases to serve as a probate judge after such appointment, the administrative judge may continue to serve as administrative judge at the pleasure of the Probate Court Administrator, but shall not have the powers granted to an elected probate judge and shall not hear and determine children's matters before ~~[the]~~ such regional children's probate court. Subject to the approval of the Chief Court Administrator, the Probate Court Administrator shall fix the compensation of the administrative judge and such compensation shall be paid from the ~~[fund established under section 45a-82]~~ Probate Court Administration Fund. Such compensation, together with the administrative judge's compensation as a probate judge of the district to which he or she was elected, shall not exceed the compensation provided under subsection (k) of section 45a-92. The administrative judge shall have such benefits as may inure

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to him or her as a probate judge and shall receive no additional benefits, except for compensation provided under this section.

(2) [The] Each administrative judge shall be responsible for the management of cases, coordination of social services, staff, financial management and record keeping for the regional children's probate court for which the administrative judge is appointed. The administrative judge may, with the approval of the Probate Court Administrator, purchase furniture, office supplies, computers and other equipment and contract for services that the administrative judge may deem necessary or advisable for the expeditious conduct of the business of the regional children's probate court. Such expenses shall be paid for pursuant to section 45a-8. If a separate facility for [the] a regional children's probate court is established pursuant to subdivision (2) of subsection [(b)] (d) of this section, the participating town or city shall be reimbursed for such expenses from the Probate Court Administration Fund upon presentation of vouchers to the Probate Court Administrator.

[(e)] (h) [The] Each administrative judge for [the] a regional children's probate court may, with the approval of the Probate Court Administrator, employ such persons as may be required for the efficient operation of the regional children's probate court. Such employees shall be employees of the regional children's probate court and shall be entitled to the benefits of probate court employees under this chapter. Such employees shall not be deemed to be state employees.

[(f) (1) Except as provided in subdivision (2) of this subsection: (A)]

(i) Any probate court within [the] a region designated under subsection (b) or (c) of this section may transfer children's matters to the regional children's probate court for such region. [; and (B) the] Any regional children's probate court may accept transfers and

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referrals of children's matters from probate courts within [the] its region.

[(2) No new children's matters shall be transferred or referred to or filed with the regional children's court on or after July 1, 2007. Nothing in this subdivision shall be construed to affect the power of the judges of the regional children's court to hear and decide, or exercise continuing jurisdiction over, children's matters brought before the regional children's court prior to said date.]

[(g) The] (j) Each regional children's probate court shall be considered a probate court for the purposes of this chapter.

[(h)] (k) The Probate Court Administrator shall establish policies and procedures to implement the [pilot program established under] provisions of this section. On or before January 3, 2007, the Probate Court Administrator shall submit a report concerning the operation and effectiveness of [such pilot program, including any recommendations for the continuation and expansion of such pilot program,] the regional children's probate courts established under this section to the joint standing committee of the General Assembly having cognizance of matters relating to the judiciary, in accordance with section 11-4a.

Approved July 6, 2005